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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WITOLD BAGINSKI
Plaintiff,
v.

BOROUGH OF WALLINGTON, et al.
Defendants.

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: CIV. A. 2:17-cv-05320-
: CCC-JAD
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**DECLARATION OF
WITOLD BAGINSKI**

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I, Witold Baginski, of full age, declare as follows:

1. I am the Plaintiff in this matter, and I am therefore fully familiar with the facts of this matter. I respectfully submit this declaration in support of Plaintiff's Motion for Sanctions.

2. Since the commencement of my tenure of employment with the Borough of Wallington in April 1999 up to the time it was disclosed that Defendants were surreptitiously monitoring my email communications with my attorney, I have used two email accounts: wbaginski@wallingtonnj.org and vic.baginski@verizon.net.

3. My personal email address of vic.baginski@verizon.net was protected by a personal password that I created and never disclosed to anyone, let alone my employer.

4. At all relevant times throughout the duration of my employment with and suspension from the Borough of Wallington, I had no reason to believe that Defendants or their attorneys had any access to my personally created verizon.net email password.

5. At no point in time during the entire duration of my employment has anyone from the Borough or otherwise ever requested that I turn over my personally created verizon.net email password.

6. I had every reason to believe that my personally created verizon.net password was protected at all times.

7. As a result, I had no reason to believe that my vic.baginski@verizon.net was anything other than a personal email account/address as opposed to my official wbaginski@wallingtonnj.org email account.

I declare under penalty of perjury that the foregoing is true and correct.


Witold Baginski